

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNIRAM TECHNOLOGY, No C-04-1268 VRW  
Plaintiff, ORDER  
v  
MONOLITHIC SYSTEM TECHNOLOGY, INC  
et al,  
Defendant.

A claim construction hearing in this case is presently set for August 17, 2005. Pursuant to the parties' briefing schedule, plaintiff UniRAM's opening claim construction brief was due on or before July 1, 2005. On June 30, 2005, -- one day before its opening brief was due -- UniRAM filed an "unopposed motion for administrative relief," seeking the court's permission to reset the page limits for all parties' briefs. Doc #88.

Civil Local Rule 7-4(b) and this court's standing order 3.1 provide that opening and opposition briefs shall not exceed 25 pages, and a reply brief shall not exceed 15 pages. See Civ L R 7-4(b); Standing Order 3.1. UniRAM requested that (1) it be allowed

1 a 50-page opening brief; (2) each defendant be allowed a 50-page  
2 response brief; and (3) UniRAM have 25 pages for its reply brief.  
3 Id. On July 1, 2005, the court informed UniRAM that the  
4 undersigned was unavailable to entertain UniRAM's motion for  
5 administrative relief prior to the opening brief's due date.  
6 Moreover, the court informed UniRAM that if it proceeded to file an  
7 over-sized opening brief, it did so at its own risk. Subsequently,  
8 UniRAM filed a 50-page opening brief and both defendants filed 50-  
9 page response briefs. Doc ##91, 99, 103.

10 By waiting until the day before its opening brief was due  
11 to seek to reset the briefing page limits, UniRAM has placed the  
12 court and its opponents in an awkward position. Due to the sheer  
13 volume of disputed claim terms in this case, the court GRANTS  
14 UniRAM's motion for administrative relief but cautions counsel  
15 that, in the future, they should not wait until the last minute to  
16 seek relief from page limitations of the local rules.

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18 IT IS SO ORDERED.

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21 VAUGHN R WALKER

22 United States District Chief Judge  
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